

House Study Bill 3 - Introduced

HOUSE CONCURRENT RESOLUTION NO. _____

BY (PROPOSED COMMITTEE ON ADMINISTRATION AND RULES
RESOLUTION BY CHAIRPERSON SCHULTE)

1 A Concurrent Resolution relating to joint rules of
2 the Senate and House of Representatives for the
3 Eighty-fourth General Assembly.

4 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE
5 SENATE CONCURRING, That the joint rules of the Senate
6 and House of Representatives for the ~~Eighty-third~~
7 Eighty-fourth General Assembly shall be:

8 JOINT RULES OF THE SENATE AND HOUSE

9 Rule 1

10 Suspension of Joint Rules

11 The joint rules of the general assembly may be
12 suspended by concurrent resolution, duly adopted by a
13 constitutional majority of the senate and the house.

14 Rule 2

15 Designation of Sessions

16 Each regular session of a general assembly shall be
17 designated by the year in which such regular session
18 commences.

19 Rule 3

20 Sessions of a General Assembly

21 The election of officers, organization, hiring and
22 compensation of employees, and standing committees in
23 each house of the general assembly and action taken
24 by each house shall carry over from the first to the
25 second regular session and to any extraordinary session
26 of the same general assembly. The status of each bill
27 and resolution shall be the same at the beginning

1 of each second session as it was immediately before
2 adjournment of the previous regular or extraordinary
3 session; however the rules of either house may provide
4 for re-referral of some or all bills and resolutions
5 to standing committees upon adjournment of each
6 session or at the beginning of a subsequent regular or
7 extraordinary session, except those which have been
8 adopted by both houses in different forms.

9 Upon final adoption of a concurrent resolution at
10 any extraordinary session affecting that session, or at
11 a regular session affecting any extraordinary session
12 which may be held before the next regular session,
13 the creation of any calendar by either house shall be
14 suspended and the business of the session shall consist
15 solely of those bills or subject matters stated in the
16 resolution adopted. Bills named in the resolution, or
17 bills containing the subject matter provided for in the
18 resolution, may, at any time, be called up for debate
19 in either house by the majority leader of that house.

20

Rule 3A

21

International Relations Protocol

22 The senate and the house of representatives shall
23 comply with the international relations protocol policy
24 adopted by the international relations committee of the
25 legislative council.

26

Rule 4

27

Presentation of Messages

28 All messages between the two houses shall be sent by
29 the secretary of the senate or the chief clerk of the
30 house of representatives, and shall be communicated to

1 the presiding officer.

2 Rule 5

3 Printing and Form of Bills and Other Documents

4 Bills and joint resolutions shall be introduced,
5 numbered, prepared, and printed as provided by
6 law, or in the absence of such law, in a manner
7 determined by the secretary of the senate and the
8 chief clerk of the house of representatives. Proposed
9 bills and resolutions which are not introduced but
10 are referred to committee shall be tracked in the
11 legislative computer system as are introduced bills
12 and resolutions. The referral of proposed bills
13 and resolutions to committee shall be entered in the
14 journal.

15 All bills and joint resolutions introduced shall be
16 in a form and number approved by the secretary of the
17 senate and chief clerk of the house.

18 The legal counsel's office of each house shall
19 approve all bills before introduction.

20 Rule 6

21 Companion Bills

22 Identical bills introduced in one or both houses
23 shall be called companion bills. Each house shall
24 designate the sponsor in the usual way followed in
25 parentheses by the sponsor of any companion bill or
26 bills in the other house. The house where a companion
27 bill is first introduced shall print the complete text.

28 Rule 7

29 Reprinting of Bills

30 Whenever any bill has been substantially amended by

1 either house, the secretary of the senate or the chief
2 clerk of the house shall order the bill reprinted on
3 paper of a different color. All adopted amendments
4 shall be distinguishable.

5 The secretary of the senate or the chief clerk
6 of the house may order the printing of a reasonable
7 number of additional copies of any bill, resolution,
8 amendment, or journal.

9

Rule 8

10

Daily Clip Sheet

11 The secretary of the senate and the chief clerk of
12 the house shall prepare a daily clip sheet covering all
13 amendments filed.

14

Rule 9

15

Reintroduction of Bills and Other Measures

16 A bill or resolution which has passed one house and
17 is rejected in the other shall not be introduced again
18 during that general assembly.

19

Rule 10

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Certification of Bills and Other Enrollments

21 When any bill or resolution which has passed one
22 house is rejected or adopted in the other, notice of
23 such action and the date thereof shall be given to the
24 house of origin in writing signed by the secretary of
25 the senate or the chief clerk of the house.

26

Rule 11

27

Code Editor's Correction Bills

28 A bill recommended by the Code editor which is
29 passed out of committee to the floor for debate by a
30 committee of the house or senate and which contains

1 Code corrections of a nonsubstantive nature shall not
2 be amended on the floor of either house except pursuant
3 to corrective or nonsubstantive amendments filed by
4 the judiciary committee of the senate or the house.
5 Such committee amendments, whether filed at the time
6 of initial committee passage of the bill to the floor
7 for debate or after rereferral to the committee, shall
8 not be incorporated into the bill in the originating
9 house but shall be filed separately. Amendments filed
10 from the floor to strike sections of the bill or the
11 committee amendments shall be in order. Following
12 amendment and passage by the second house, only
13 amendments filed from the floor which strike sections
14 of the amendment of the second house shall be in order.

15 A bill recommended by the Code editor which is
16 passed out of committee to the floor for debate by a
17 committee of the house or senate and which contains
18 Code corrections beyond those of a nonsubstantive
19 nature shall not be amended on the floor of either
20 house except pursuant to amendments filed by the
21 judiciary committee of the senate or the house. Such
22 committee amendments, whether filed at the time of
23 initial committee passage of the bill to the floor for
24 debate or after rereferral to the committee, shall
25 not be incorporated into the bill in the originating
26 house but shall be filed separately. Such a bill shall
27 be limited to corrections which: Adjust language to
28 reflect current practices, insert earlier omissions,
29 delete redundancies and inaccuracies, delete temporary
30 language, resolve inconsistencies and conflicts, update

1 ongoing provisions, and remove ambiguities. Amendments
2 filed from the floor to strike sections of the bill or
3 the committee amendments shall be in order. Following
4 amendment and passage by the second house, only
5 amendments filed from the floor which strike sections
6 of the amendment of the second house shall be in order.

7 It is the intent of the house and the senate that
8 such bills be passed out of committee to the floor for
9 debate within the first four weeks of convening of a
10 legislative session.

11

Rule 12

12

Amendments by Other House

13 1. When a bill which originated in one house is
14 amended in the other house, the house originating
15 the bill may amend the amendment, concur in full in
16 the amendment, or refuse to concur in full in the
17 amendment. Precedence of motions shall be in that
18 order. The amendment of the other house shall not be
19 ruled out of order based on a question of germaneness.

20 a. If the house originating the bill concurs in the
21 amendment, the bill shall then be immediately placed
22 upon its final passage.

23 b. If the house originating the bill refuses to
24 concur in the amendment, the bill shall be returned to
25 the amending house which shall either:

26 (1) Recede, after which the bill shall be read for
27 the last time and immediately placed upon its final
28 passage; or

29 (2) Insist, which will send the bill to a
30 conference committee.

1 c. If the house originating the bill amends the
2 amendment, that house shall concur in the amendment
3 as amended and the bill shall be immediately placed
4 on final passage, and shall be returned to the other
5 house. The other house cannot further amend the bill.

6 (1) If the amending house which gave second
7 consideration to the bill concurs in the amendment
8 to the amendment, the bill shall then be immediately
9 placed upon its final passage.

10 (2) If the amending house refuses to concur in the
11 amendment to the amendment, the bill shall be returned
12 to the house originating the bill which shall either:

13 (a) Recede, after which the bill shall be read for
14 the last time as amended and immediately placed upon
15 its final passage; or

16 (b) Insist, which will send the bill to a
17 conference committee.

18 2. A motion to recede has precedence over a motion
19 to insist. Failure to recede means to insist; and
20 failure to insist means to recede.

21 3. A motion to lay on the table or to indefinitely
22 postpone shall be out of order with respect to motions
23 to recede from or insist upon and to amendments to
24 bills which have passed both houses.

25 4. A motion to concur, refuse to concur, recede,
26 insist, or adopt a conference committee report is in
27 order even though the subject matter has previously
28 been acted upon.

29

Rule 13

30

Conference Committee

1 1. Within one legislative day after either house
2 insists upon an amendment to a bill, the presiding
3 officer of the house, after consultation with the
4 majority leader, shall appoint three majority party
5 members and, after consultation with the minority
6 leader, shall appoint two minority party members
7 to a conference committee. The majority leader of
8 the senate, after consultation with the president,
9 shall appoint three majority party members and,
10 after consultation with and approval by the minority
11 leader, shall appoint two minority party members to a
12 conference committee. The papers shall remain with the
13 house that originated the bill.

14 2. The conference committee shall meet before
15 the end of the next legislative day after their
16 appointment, shall select a chair and shall discuss the
17 controversy.

18 3. The authority of the first conference committee
19 shall cover only issues related to provisions of the
20 bill and amendments to the bill which were adopted
21 by either the senate or the house of representatives
22 and on which the senate and house of representatives
23 differed. If a conference committee report is not
24 acted upon because such action would violate this
25 subsection of this rule, the inaction on the report
26 shall constitute refusal to adopt the conference
27 committee report and shall have the same effect as if
28 the conference committee had disagreed.

29 4. An agreement on recommendations must be approved
30 by a majority of the committee members from each house.

1 The committee shall submit two originals of the report
2 signed by a majority of the committee members of each
3 house with one signed original and three copies to be
4 submitted to each house. The report shall first be
5 acted upon in the house originating the bill. Such
6 action, including all papers, shall be immediately
7 referred by the secretary of the senate or the chief
8 clerk of the house of representatives to the other
9 house.

10 5. The report of agreement is debatable, but
11 cannot be amended. If the report contains recommended
12 amendments to the bill, adoption of the report shall
13 automatically adopt all amendments contained therein.
14 After the report is adopted, there shall be no more
15 debate, and the bill shall immediately be placed upon
16 its final passage.

17 6. Refusal of either house to adopt the conference
18 committee report has the same effect as if the
19 committee had disagreed.

20 7. If the conference committee fails to reach
21 agreement, a report of such failure signed by a
22 majority of the committee members of each house shall
23 be given promptly to each house. The bill shall
24 be returned to the house that originated the bill,
25 the members of the committee shall be immediately
26 discharged, and a new conference committee appointed in
27 the same manner as the first conference committee.

28 8. The authority of a second or subsequent
29 conference committee shall cover free conference during
30 which the committee has authority to propose amendments

1 to any portion of a bill provided the amendment is
2 within the subject matter content of the bill as passed
3 by the house of origin or as amended by the second
4 house.

5 Rule 14

6 Enrollment and Authentication of Bills

7 A bill or resolution which has passed both houses
8 shall be enrolled in the house of origin under the
9 direction of either the secretary of the senate or the
10 chief clerk of the house and its house of origin shall
11 be certified by the endorsement of the secretary of the
12 senate or the chief clerk of the house.

13 After enrollment, each bill shall be signed by the
14 president of the senate and by the speaker of the
15 house.

16 Rule 15

17 Concerning Other Enrollments

18 All resolutions and other matters which are to
19 be presented to the governor for approval shall be
20 enrolled, signed, and presented in the same manner as
21 bills.

22 All resolutions and other matters which are not to
23 be presented to the governor or the secretary of state
24 shall be enrolled, signed, and retained permanently
25 by the secretary of the senate or chief clerk of the
26 house.

27 Rule 16

28 Transmission of Bills to the Governor

29 After a bill has been signed in each house, it shall
30 be presented by the house of origin to the governor by

1 either the secretary of the senate or the chief clerk
2 of the house. The secretary or the chief clerk shall
3 report the date of the presentation, which shall be
4 entered upon the journal of the house of origin.

5

Rule 17

6

Fiscal Notes

7 A fiscal note shall be attached to any bill or joint
8 resolution which reasonably could have an annual effect
9 of at least one hundred thousand dollars or a combined
10 total effect within five years after enactment of five
11 hundred thousand dollars or more on the aggregate
12 revenues, expenditures, or fiscal liability of the
13 state or its subdivisions. This rule does not apply
14 to appropriation and ways and means measures where the
15 total effect is stated in dollar amounts.

16 Each fiscal note shall state in dollars the
17 estimated effect of the bill on the revenues,
18 expenditures, and fiscal liability of the state or
19 its subdivisions during the first five years after
20 enactment. The information shall specifically note
21 the fiscal impact for the first two years following
22 enactment and the anticipated impact for the succeeding
23 three years. The fiscal note shall specify the source
24 of the information. Sources of funds for expenditures
25 under the bill shall be stated, including federal
26 funds. If an accurate estimate cannot be made, the
27 fiscal note shall state the best available estimate or
28 shall state that no dollar estimate can be made and
29 state concisely the reason.

30 The preliminary determination of whether the bill

1 appears to require a fiscal note shall be made by
2 the legal services staff of the legislative services
3 agency. Unless the requestor specifies the request is
4 to be confidential, upon completion of the bill draft,
5 the legal services staff shall immediately send a copy
6 to the fiscal services director for review.

7 When a committee reports a bill to the floor, the
8 committee shall state in the report whether a fiscal
9 note is or is not required.

10 The fiscal services director or the director's
11 designee shall review all bills placed on the senate
12 or house calendars to determine whether the bills are
13 subject to this rule.

14 Additionally, a legislator may request the
15 preparation of a fiscal note by the fiscal services
16 staff for any bill or joint resolution introduced which
17 reasonably could be subject to this rule.

18 The fiscal services director or the director's
19 designee shall cause to be prepared and shall approve
20 a fiscal note within a reasonable time after receiving
21 a request or determining that a bill is subject to
22 this rule. All fiscal notes approved by the fiscal
23 services director shall be transmitted immediately to
24 the secretary of the senate or the chief clerk of the
25 house, after notifying the sponsor of the bill that a
26 fiscal note has been prepared, for publication in the
27 daily clip sheet. The secretary of the senate or chief
28 clerk of the house shall attach the fiscal note to the
29 bill as soon as it is available.

30 The fiscal services director may request the

1 cooperation of any state department or agency in
2 preparing a fiscal note.

3 A revised fiscal note may be requested by a
4 legislator if the fiscal effect of the bill has been
5 changed by adoption of an amendment. However, a
6 request for a revised fiscal note shall not delay
7 action on a bill unless so ordered by the presiding
8 officer of the house in which the bill is under
9 consideration.

10 If a date for adjournment has been set, then a
11 constitutional majority of the house in which the
12 bill is under consideration may waive the fiscal note
13 requirement during the three days prior to the date set
14 for adjournment.

15 Rule 18

16 Legislative Interns

17 Legislators may arrange student internships during
18 the legislative session with Iowa college, university,
19 or law school students, for which the students may
20 receive college credit at the discretion of their
21 schools. Each legislator is allowed only one intern at
22 a time per legislative session, and all interns must
23 be registered with the offices of the secretary of the
24 senate and the chief clerk of the house.

25 The purpose of the legislative intern program shall
26 be: to provide useful staff services to legislators
27 not otherwise provided by the general assembly; to give
28 interested college, graduate, and law school students
29 practical experience in the legislative process as well
30 as providing a meaningful educational experience; and

1 to enrich the curriculum of participating colleges and
2 universities.

3 The secretary of the senate and the chief clerk of
4 the house or their designees shall have the following
5 responsibilities as regards the legislative intern
6 program:

7 1. Identify a supervising faculty member at each
8 participating institution who shall be responsible
9 for authorizing students to participate in the intern
10 program.

11 2. Provide legislators with a list of participating
12 institutions and the names of supervising professors to
13 contact if interested in arranging for an intern.

14 3. Provide interns with name badges which will
15 allow them access to the floor of either house when
16 required to be present by the legislators for whom they
17 work.

18 4. Provide orientation materials to interns prior
19 to the convening of each session.

20

Rule 19

21 Administrative Rules Review Committee Bills and Rule

22

Referrals

23 A bill which relates to departmental rules and
24 which is approved by the administrative rules review
25 committee by a majority of the committee's members
26 of each house is eligible for introduction in either
27 house at any time and must be referred to a standing
28 committee, which must take action on the bill within
29 three weeks of referral, except bills referred to
30 appropriations and ways and means committees.

1 If, on or after July 1, 1999, the administrative
2 rules review committee delays the effective date of a
3 rule until the adjournment of the next regular session
4 of the general assembly and the speaker of the house
5 or the president of the senate refers the rule to a
6 standing committee, the standing committee shall review
7 the rule within twenty-one days of the referral and
8 shall take formal committee action by sponsoring a
9 joint resolution to disapprove the rule, by proposing
10 legislation relating to the rule, or by refusing to
11 propose a joint resolution or legislation concerning
12 the rule. The standing committee shall inform the
13 administrative rules review committee of the committee
14 action taken concerning the rule.

15

Rule 20

16 Time of Committee Passage and Consideration of Bills

17 1. This rule does not apply to concurrent or
18 simple resolutions, joint resolutions nullifying
19 administrative rules, senate confirmations, bills
20 embodying redistricting plans prepared by the
21 legislative services agency pursuant to chapter
22 42, or bills passed by both houses in different
23 forms. Subsection 2 of this rule does not apply to
24 appropriations bills, ways and means bills, government
25 oversight bills, legalizing acts, administrative
26 rules review committee bills, bills sponsored by
27 standing committees in response to a referral from
28 the president of the senate or the speaker of the
29 house of representatives relating to an administrative
30 rule whose effective date has been delayed until the

1 adjournment of the next regular session of the general
2 assembly by the administrative rules review committee,
3 bills cosponsored by majority and minority floor
4 leaders of one house, bills in conference committee,
5 and companion bills sponsored by the majority floor
6 leaders of both houses after consultation with the
7 respective minority floor leaders. For the purposes of
8 this rule, a joint resolution is considered as a bill.
9 To be considered an appropriations, ways and means,
10 or government oversight bill for the purposes of this
11 rule, the appropriations committee, the ways and means
12 committee, or the government oversight committee must
13 either be the sponsor of the bill or the committee of
14 first referral in the originating house.

15 2. To be placed on the calendar in the house of
16 origin, a bill must be first reported out of a standing
17 committee by Friday of the ~~9th~~ 8th week of the first
18 session and the 8th week of the second session. To be
19 placed on the calendar in the other house, a bill must
20 be first reported out of a standing committee by Friday
21 of the ~~13th~~ 12th week of the first session and the 11th
22 week of the second session.

23 3. During the ~~11th~~ 10th week of the first session
24 and the 9th week of the second session, each house
25 shall consider only bills originating in that house and
26 unfinished business. During the ~~14th~~ 13th week of the
27 first session and the 12th week of the second session,
28 each house shall consider only bills originating in the
29 other house and unfinished business. Beginning with
30 the ~~15th~~ 14th week of the first session and the 13th

1 week of the second session, each house shall consider
2 only bills passed by both houses, bills exempt from
3 subsection 2, and unfinished business.

4 4. A motion to reconsider filed and not disposed
5 of on an action taken on a bill or resolution which is
6 subject to a deadline under this rule may be called up
7 at any time before or after the day of the deadline by
8 the person filing the motion or after the deadline by
9 the majority floor leader, notwithstanding any other
10 rule to the contrary.

11

Rule 21

12

Resolutions

13 1. A "concurrent resolution" is a resolution to
14 be adopted by both houses of the general assembly
15 which expresses the sentiment of the general assembly
16 or deals with temporary legislative matters. It may
17 authorize the expenditure, for any legislative purpose,
18 of funds appropriated to the general assembly. A
19 concurrent resolution is not limited to, but may
20 provide for a joint convention of the general assembly,
21 adjournment or recess of the general assembly, or
22 requests to a state agency or to the general assembly
23 or a committee. A concurrent resolution requires the
24 affirmative vote of a majority of the senators or
25 representatives present and voting unless otherwise
26 specified by statute. A concurrent resolution does
27 not require the governor's approval unless otherwise
28 specified by statute. A concurrent resolution shall
29 be filed with the secretary of the senate or the chief
30 clerk of the house. A concurrent resolution shall be

1 printed in the bound journal after its adoption.

2 2. A "joint resolution" is a resolution which
3 requires for approval the affirmative vote of a
4 constitutional majority of each house of the general
5 assembly. A joint resolution which appropriates funds
6 or enacts temporary laws must contain the clause "Be It
7 Enacted by the General Assembly of the State of Iowa:",
8 is equivalent to a bill, and must be transmitted to
9 the governor for approval. A joint resolution which
10 proposes amendments to the Constitution of the State
11 of Iowa, ratifies amendments to the Constitution of
12 the United States, proposes a request to Congress or
13 an agency of the government of the United States of
14 America, proposes to Congress an amendment to the
15 Constitution of the United States of America, nullifies
16 an administrative rule, or creates a special commission
17 or committee must contain the clause "Be It Resolved by
18 the General Assembly of the State of Iowa:" and shall
19 not be transmitted to the governor. A joint resolution
20 shall not amend a statute in the Code of Iowa.

21

Rule 22

22

Nullification Resolutions

23 A "nullification resolution" is a joint resolution
24 which nullifies all of an administrative rule, or
25 a severable item of an administrative rule adopted
26 pursuant to chapter 17A of the Code. A nullification
27 resolution shall not amend an administrative rule by
28 adding language or by inserting new language in lieu
29 of existing language.

30 A nullification resolution is debatable, but cannot

1 be amended on the floor of the house or senate. The
2 effective date of a nullification resolution shall
3 be stated in the resolution. Any motions filed to
4 reconsider adoption of a nullification resolution
5 must be disposed of within one legislative day of the
6 filing.

7

Rule 23

8

Consideration of Vetoes

9 1. The senate and house calendar shall include a
10 list known as the "Veto Calendar." The veto calendar
11 shall consist of:

12 a. Bills returned to that house by the governor
13 in accordance with Article III, section 16 of the
14 Constitution of the State of Iowa.

15 b. Appropriations items returned to that house by
16 the governor in accordance with Article III, section 16
17 of the Constitution of the State of Iowa.

18 c. Bills and appropriations items received from the
19 other house after that house has voted to override a
20 veto of them by the governor.

21 2. Vetoed bills and appropriations items shall
22 automatically be placed on the veto calendar upon
23 receipt. Vetoed bills and appropriations items shall
24 not be referred to committee.

25 3. Upon first publication in the veto calendar, the
26 senate majority leader or the house majority leader may
27 call up a vetoed bill or appropriations item at any
28 time.

29 4. The affirmative vote of two-thirds of the
30 members of the body by record roll call is required on

1 a motion to override an executive veto or item veto.

2 5. A motion to override an executive veto or item
3 veto is debatable. A vetoed bill or appropriation item
4 cannot be amended in this case.

5 6. The vote by which a motion to override an
6 executive veto or item veto passes or fails to pass
7 either house is not subject to reconsideration under
8 senate rule 24 or house rule 73.

9 7. The secretary of the senate or the chief clerk
10 of the house shall immediately notify the other house
11 of the adoption or rejection of a motion to override an
12 executive veto or item veto.

13 8. All bills and appropriations items on the veto
14 calendar shall be disposed of before adjournment sine
15 die, unless the house having a bill or appropriation
16 item before it declines to do so by unanimous consent.

17 9. Bills and appropriations items on the veto
18 calendar are exempt from deadlines imposed by joint
19 rule 20.

20 Rule 24

21 Special Rules Regarding Redistricting for 2010

22 1. If, pursuant to chapter 42, either the senate or
23 the house of representatives rejects a redistricting
24 plan submitted by the legislative services agency, the
25 house rejecting the plan shall convey the reasons for
26 the rejection of the plan to the legislative services
27 agency by resolution.

28 2. If, pursuant to chapter 42, the legislative
29 services agency submits a third redistricting plan
30 as provided by law, the senate and the house of

1 representatives, when considering a bill embodying the
2 third plan, shall be allowed to accept for filing as
3 amendments only such amendments which constitute the
4 total text of a congressional plan without striking
5 a legislative redistricting plan, the total text of
6 a legislative redistricting plan without striking a
7 congressional plan, or the combined total text of a
8 congressional plan and a legislative redistricting
9 plan, and nonsubstantive, technical corrections to the
10 text of any such bills or amendments.